CHAPTER 43-18.1
WATER CONDITIONING CONTRACTORS AND INSTALLERS

43-18.1-01. Definitions.

In this chapter, unless the context or subject matter otherwise requires:

1. "Board" means the state board of plumbing.
2. "Water conditioning contractor" means a person who plans and manages the installation and repair of water conditioning equipment, and in conjunction therewith sells or leases such equipment.
3. "Water conditioning installation and repair" means the installation of appliances, appurtenances, and fixtures designed to treat water so as to alter, modify, add or remove mineral, chemical, or bacterial content, and the repair of such equipment, to a water distribution system. "Water conditioning installation and repair" does not mean the exchange of such appliances, appurtenances, and fixtures when the plumbing system has previously been installed or adapted to or for such appliances, appurtenances, and fixtures, and no substantial change in such plumbing system is required.
4. "Water conditioning installer" means any person who is engaged in the practical installation and repair of water conditioning equipment.

43-18.1-02. Administration.

All fees and money obtained by the board through the administration of this chapter must be used for the regulation of the business of water conditioning installation and repair, through the board, and all such fees and money are appropriated to the board for such purpose. This appropriation is a continuing appropriation of all such sums. The handling and administration of such fees and money must otherwise be in accordance with section 54-44-12.

43-18.1-03. Duties of the board.

The board shall:

1. Enforce the provisions of this chapter.
2. Prescribe rules and regulations not inconsistent with the provisions of this chapter for the examination, regulation, and licensing of water conditioning contractors and water conditioning installers.

43-18.1-04. Licenses - Examination - Fees - Apprentices.

1. No person, firm, corporation, or limited liability company, except plumbers holding valid licenses pursuant to chapter 43-18, shall engage in the business of water conditioning contractor or water conditioning installer in any incorporated city of this state having a system of waterworks or sewage unless registered and licensed to do so by the board. Installation and repair of water conditioning equipment shall be done by the person holding a water conditioning installer's license.
2. The board shall hold not less than one public meeting per year for the purpose of examination of persons who may desire to become registered and licensed in the water conditioning business pursuant to this chapter. Notice and time of such examination shall otherwise be in accordance with section 43-18-12 and the examination provided for herein may be held in conjunction with the examination provided for in chapter 43-18.
3. Examination for licenses and registration shall be upon application as prescribed by the board and payment of the examination fee. Such fee shall be forty dollars and twenty dollars for registration and licensure as a water conditioning contractor and water conditioning installer, respectively. If the holder of an installer's license is also a contractor, the fee shall be forty dollars. The examination shall be as prescribed by the board but shall be limited to the installation and repair of water conditioning equipment as such relates to plumbing. The issuance of licenses and registrations hereunder

shall be as prescribed by the board which shall be guided in such actions by the provisions of section 43-18-13.

4. An apprentice may be employed by any licensee under this chapter. When so employed the apprentice shall perform the apprentice's employment under the direct supervision of the licensee and when engaged in installation or repair pursuant to this chapter the apprentice shall be under the direct supervision of a licensed installer. Upon employment and termination of employment the name of the apprentice and the apprentice's employer shall be communicated to the board.

43-18.1-05. Temporary licenses - Issuance.

The board, upon payment of the fees provided in this chapter, shall issue special temporary permits to engage in water conditioning installation and repair as provided in this chapter to those applicants who furnish sufficient proof that they were engaged in such business on January 1, 1973. Such special temporary permits are retroactive to January 1, 1973, and expire thirty days after the date the second examination as provided under section 43-18.1-04 is given, but no later than July 1, 1974. The board may prescribe rules and regulations under which regular temporary permits may be issued which must be generally in accordance with section 43-18-15.

43-18.1-05.1. Conviction not bar to licensure - Exceptions.

Conviction of an offense does not disqualify a person from licensure under this chapter unless the board determines that the offense has a direct bearing upon a person's ability to serve the public as a water conditioning contractor, or that, following conviction of any offense, the person is not sufficiently rehabilitated under section 12.1-33-02.1.

43-18.1-06. Renewal of license and registration - Fee.

Except for special temporary licenses as provided in this chapter, a license issued under this chapter is valid for only one year and expires on December thirty-first of the year in which it was issued. The license must be renewed by the board upon application made within thirty days after the expiration thereof and on the payment of the fees as provided in section 43-18.1-04.

43-18.1-07. Revocation of licenses.

The board may revoke any license issued under the provisions of this chapter if the licensee has:

1. Committed an offense determined by the board to have a direct bearing upon a holder's ability to serve the public as a water conditioning contractor, or the board determines, following conviction of any offense, that a holder is not sufficiently rehabilitated under section 12.1-33-02.1;
2. Committed a fraud in obtaining the holder's certificate;
3. Permitted the use of the holder's license in violation of this chapter; or
4. Performed work or business in an incompetent manner.

43-18.1-08. Revocation - Hearing - Reinstatement.

A license issued under the provisions of this chapter may be revoked only upon a charge in writing filed with the board and after a hearing thereon by the board. Such hearing must be conducted in accordance with the procedures set forth in section 43-18-19. Reinstatement of a license revoked under this chapter may be made in accordance with section 43-18-20.

43-18.1-09. Violations - Penalty.

Any person that violates the state plumbing code adopted under section 43-18-09, violates subsection 1 of section 43-18.1-04, or works under the license of another person in a manner that is in violation of subsection 3 of section 43-18.1-04 is guilty of a class B misdemeanor.